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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Subject to the Court's approval, Plaintiffs, the United States and Relator Margaret McCarthy, HEREBY STIPULATE that:

1. On January 17, 2008, the United States filed its Notice of Election to Intervene in the above-captioned case and included a proposed order which would, inter alia, unseal the case going forward. As we have not yet received a signed unsealing order from the Court, we submit this stipulation under seal.

2. Pursuant to Fed. R. Civ. P. 41(a)(1) and the terms of the settlement agreement effective January 17, 2008, which was executed by the United States, Relator, and Defendants. Plaintiffs hereby dismiss this action with prejudice.

3. No answer or other responsive pleading has been filed in this action. The United States and Relator are filing this dismissal to comply with the terms of their January 17, 2008 settlement agreement.

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

DATED: January 25, 2008

By:

Sara Winslow
SARA WINSLOW
Assistant United States Attorney
Attorneys for the United States of America

DATED: January 25, 2008

HIRST & CHANLER LLP

By:

MICHAEL A. HIRST
Attorneys for Qui Tam Relator

[PROPOSED] ORDER

Pursuant to stipulation and for good cause shown, IT IS HEREBY ORDERED THAT this action is dismissed with prejudice, pursuant to the terms of the January 17, 2008 settlement agreement among the parties.

IT IS SO ORDERED.

Dated: 1-10-00

Wk

HON. WILLIAM H. ALSUP
United States District Judge

DISMISSAL STIP
C 06-06649 WHA

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee of the Office of the United States Attorney for the Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned further certifies that she is causing a copy of the following:

STIPULATION FO DISMISSAL; [PROPOSED] ORDER

United States ex rel. Under Seal v. Under Seal
C 06-6649 WHA (UNDER SEAL)

to be served this date upon each of the persons indicated below at the address shown:

Mark A. Kleiman, Esq.
Law Offices of Mark Allen Kleiman
1640 Fifth St., Suite 214
Santa Monica, CA 90401

Michael A. Hirst, Esq.
Leslie S. Guillou, Esq.
Hirst & Chanler LLP
455 Capitol Mall, Suite 605
Sacramento, CA 95814

BY FIRST CLASS MAIL by placing a true copy thereof in a sealed envelope with postage thereon fully prepaid in the designated area for outgoing U.S. mail in accordance with this office's practice.

BY PERSONAL SERVICE (BY MESSENGER): I caused such envelope to be delivered by hand to the person or offices of each addressee above.

BY FACSIMILE (FAX): I caused each such document to be sent by facsimile to the person or offices of each addressee above.

BY E-MAIL: I caused each such document to be sent by e-mail to the person or offices of each address above.

BY FEDERAL EXPRESS

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed January 25, 2008 at San Francisco, California.

Kathy Terry
KATHY TERRY
Legal Assistant